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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

ALEXANDRA KUSEN, on behalf of herself  
and all others similarly situated,

Plaintiff,

v.

JAMES H. HERBERT, II, HAFIZE GAYE  
ERKAN, MICHAEL J. ROFFLER, OLGA  
TSOKOVA, MICHAEL D SELFRIDGE,  
NEAL HOLLAND, and KPMG, LLP,

Defendants.

Case No. 3:23-cv-2940-AMO

**[PROPOSED] ORDER GRANTING  
MOTION TO INTERVENE BY  
FEDERAL DEPOSIT INSURANCE  
CORPORATION AS RECEIVER FOR  
FIRST REPUBLIC BANK**

CLASS ACTION

Judge: Hon. Araceli Martínez-Olguín

Date: January 11, 2024

Time: 2:00 p.m.

Place: Courtroom 10 – 19th Floor  
450 Golden Gate Avenue,  
San Francisco, CA 94102

The motion of the Federal Deposit Insurance Corporation as Receiver for First Republic Bank (“FDIC-R”) to intervene in this action pursuant to Federal Rule of Civil Procedure 24(a) and 24(b), came for hearing on January 11, 2024, at 2:00 p.m. in Courtroom 10 of the above-entitled Court. Having considered the briefs and other documents in support of and in opposition to the motion, the pleadings and records on file in this action, and the oral arguments presented and being fully advised in this matter, it is hereby

**ORDERED** that the FDIC-R’s Motion to Intervene is **GRANTED**, and it is further

**ORDERED** that the FDIC-R shall file its Motion to Dismiss, which was attached as Exhibit 2 to the Motion to Intervene, on the docket within 7 days.

It is **SO ORDERED**.

Dated: \_\_\_\_\_

\_\_\_\_\_  
ARACELI MARTÍNEZ-OLGUÍN  
UNITED STATES DISTRICT JUDGE

**[PROPOSED] ORDER GRANTING FDIC-R’S MOTION TO INTERVENE**